

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Crl.Rev.Pet.No. 3230 of 2007()

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CRA.96/2003 of ADDL. SESSIONS COURT, ALAPPUZHA  
CC.685/1999 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA  
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REVN. PETITIONER:

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MAMMU, S/O. KUNJO, VALAYANATTU, AGED 50  
THURUTHIBHAGOM MURI, NADUVATHNAGAR P.O.  
CHERTHALA, ALAPPUZHA

BY ADV. SRI.R.MURALEEKRISHNAN

RESPONDENTS:

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1. MATHAI, S/O. MATHAI,  
PUTHUVEETTU VELIYIL, CMC - 19,  
CHERTHALA P.O. ALAPPUZHA
  2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALAM ERNAKULAM

BY ADV. SRI.B.RAJEEV KOYICKAL  
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION  
ON 04-09-2007 THE COURT ON 04/09/2007 PASSED THE  
FOLLOWING:

**V. RAMKUMAR, J.**  
\* \* \* \* \*  
**Crl.R.P. No.3230 of 2007**  
\* \* \* \* \*  
**Dated: 4<sup>th</sup> September 2007**

**ORDER**

The accused in C.C. No. 685 of 1999 on the **file** of the Judicial Magistrate of the First Class - I, Cherthala for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9384 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

3. The revision petitioner shall be released from prison forthwith unless his continued detention is found necessary in connection with any other case.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,  
(JUDGE)**

ani.

